

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

WYTEX PRODUCTION CORPORATION,)

Plaintiff,)

vs.)

XTO ENERGY, INC.,)

Defendant.)

Case No. CIV-12-339-JHP

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge (Dkt. No. 79) in which the Magistrate Judge finds the requested clarification is inappropriate, and therefore, recommends that the Motion to Clarify Court's Order (Dkt. No. 74) be **DENIED** and the request for costs and attorney's fees in Wytex's Response (Dkt. No. 77) be **DENIED**. No objections were filed to said Report and Recommendation. Upon review, this Court hereby adopts the Report and Recommendation as the ruling of this Court.

Ordered this 5th day of June, 2014.


James H. Payne
United States District Judge
Eastern District of Oklahoma